

**UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT
OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

DONNA GAGICH

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CR. NO. 04-41

MOTION FOR CONTINUANCE

AND NOW, comes the defendant, Donna Gagich, by and through her attorney, Gene P. Placidi, Esq. and files the following Motion for Continuance of her trial date, averring in support thereof as follows:

1. The defendant is charged by federal indictment at the above term and number with one (1) count of Conspiracy to Commit Mail Fraud.
2. The defendant was notified that her trial is scheduled for the August, 2005 term of criminal court.
3. The defendant is in continued plea negotiations with the government and is in need of additional time to adequately work out a plea agreement.
4. The defendant just recently underwent two (2) surgeries on her feet and is still in considerable pain and discomfort. In addition, undersigned counsel is in need of additional time to adequately prepare a defense on behalf of the defendant in the event that the plea negotiations break down.
5. Christopher Trabold, A.U.S. A. for the Western District of Pennsylvania hereby consents to the trial being continued to the next term of criminal court.

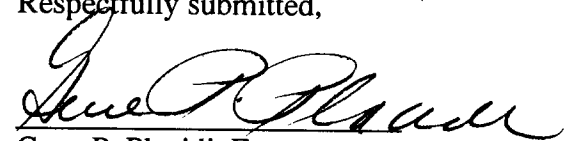
6. Donna Gagich, the defendant in the above captioned matter, is aware the next criminal court is October 2005.

7. Understanding that the next term of criminal court is October 2005, the defendant, Donna Gagich, hereby consents to this matter being continued to the next term of court.

WHEREFORE, the defendant respectfully requests that the Court enter an Order to continue her trial from the August 2005 term of court to the October 2005 term of court.

Respectfully submitted,

By:



Gene P. Placidi, Esq.
Attorney for the Defendant
502 West 7th Street
Erie, Pennsylvania 16502

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CERTIFICATE OF SERVICE

he undersigned hereby certifies that a true and correct copy of defendant's Motion for Continuance was served upon the following, by hand delivery or first class United States Mail, on the 27th day of July 2005, to the party listed below:

Christopher Trabold
Assistant U.S. Attorney
Federal Courthouse, Room A330
17 South Park Row
Erie, Pennsylvania 16501

MELARAGNO & PLACIDI

By:


Gene P. Placidi, Esq.